

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2311 – HB 2133

March 19, 2014

SUMMARY OF ORIGINAL BILL: Authorizes local education agency (LEA) employees who are not teachers to participate in the teachers' sick leave bank. Employees must be able to accrue sick leave and meet all statutory requirements.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Voluntary Participation by additional employees may require LEA sick leave banks to pay out more sick time than they would have in the absence of this bill; however, there will be an increased number of earned sick days contributed to the sick leave bank. Any change in liability for the LEAs to pay sick days is considered not significant.

SUMMARY OF AMENDMENT (014759): Deletes and rewrites the bill such that the substantive changes are to authorize local education agency (LEA) employees who are not teachers to participate in a teacher's sick leave bank or a classified employee sick bank and to declare that nothing in the bill shall be construed to interfere with existing LEA policies relative to sick leave banks.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- LEAs are not required to form sick leave banks.
- Employee participation in LEA sick leave banks is voluntary.
- Employees are eligible to make application to LEA sick leave banks for leave only having been a member of the bank for 30 days and shall not receive any sick leave from the bank until all other accumulated sick and personal leave has been exhausted.
- Additional employees will be eligible to join LEA teachers' sick leave banks.
- Sick leave payment from these banks may increase; however, there will be an increased number of sick days contributed to the sick leave banks. Any such increases cannot be reasonably quantified.

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- Pursuant to Tenn. Code Ann. § 49-5-807(c), trustees of LEA sick banks can assess members days of earned sick leave if or when the sick leave bank requires them. Therefore, no LEA will pay additional sick leave days that have not been previously earned. As a result, any increased liability to local governments is considered not significant.
- No fiscal impact on state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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